

FISCAL NOTE

HB 3254 - SB 3470

March 12, 2006

SUMMARY OF BILL: Requires Global Positioning System (GPS) monitoring of all violent offenders for the duration of their parole. Directs the Administrative Office of the Courts (AOC) and the Board of Probation and Parole (BOPP) to establish a violent offender tracking and monitoring program and to develop guidelines for the program. Hardware contracts for the program shall be executed prior to July 1, 2007. Authorizes AOC, Department of Correction (DOC), BOPP, TBI, and local law enforcement to share criminal incident information. Authorizes BOPP to establish fees to be paid by offenders, subject to ability to pay, to offset the costs of time-correlated geographic tracking of offenders.

ESTIMATED FISCAL IMPACT:

**Increase State Revenues - \$200,600 First Year
\$240,300 Each Succeeding Year**

Increase State Expenditures – \$5,500 / Incarceration*

**\$5,801,400 Recurring 1st Year &
\$6,935,000 Each Succeeding Year**

**\$61,700 One-Time 1st Year &
\$14,500 Each Succeeding Year**

Increase Local Govt. Expenditures - \$76,700*

Assumptions:

- According to BOPP, there will be 3,344 offenders subject to GPS monitoring (in addition to the offenders currently in the pilot project) in the first year. This total includes existing sex offenders plus newly released offenders.
- 432 new sex offenders and 229 new violent offenders, a total of 661 new offenders, will be added each year. Offenders will be subject to monitoring for an average of 13.5 years.
- BOPP currently charges offenders in the GPS pilot project \$600 per year to defray monitoring costs.
- BOPP will incur monitoring costs of \$2,006,400 in the first year (3,344 x \$600) and additional costs of \$399,600 in the second year (and

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subsequent years) for newly released offenders. The total monitoring cost in year two and each succeeding year, up to year 14, is \$2,406,000. After year 14, the costs will decline as offenders complete their supervision and leave the system.

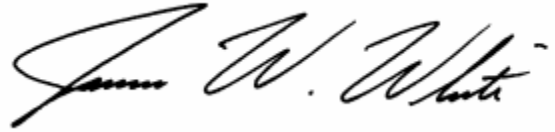
- Ten percent of offenders will pay the fees charged for GPS tracking. This revenue will be \$200,600 in the first year (3,344 offenders x 10 percent x \$600) and \$240,300 in the second and each subsequent year (4,005 offenders x 10 percent x \$600).
- BOPP will require 100 additional positions to implement this system state-wide, including GPS technical positions, case officers, and information systems staff. The cost of these positions is \$3,730,000 recurring and \$59,000 one-time in the first year, and an additional \$802,000 recurring and \$14,500 one-time in the second and each subsequent year.
- AOC will require one additional position to develop guidelines and implement the program at a cost of \$65,000 for salary and benefits (recurring) plus \$2,668 one-time.
- Ten offenders will be convicted of the first offense of tampering with or removing a monitoring device and each will serve 180 days in jail. The cost to local governments, based upon the per diem paid to local jails for housing state felons, is \$42.59 per day. The total cost to local governments is \$76,700 (10 offenders x 180 days x \$42.59 per day).
- One Class E felony every year will serve 0.3 years (109.58 days) for the second and subsequent offense of tampering with or removing a monitoring device. According to DOC, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate at 0.3 years is \$5,481.19 (\$50.02 x 109.58 days).

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director